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Meeting	Local Plan Working Group
Date	22 September 2014
Present	Councillors Merrett (Chair), Ayre, Boyce, Burton, D'Agorne, Funnell, Horton, Reid, Simpson-Laing, Steward and Watt (Vice-Chair)
In attendance	Councillors Brooks and Healey
Apologies	Councillors Barnes and Semlyen

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## 5. **DECLARATIONS OF INTEREST**

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Councillor Watt declared a personal non prejudicial interest in relation to the City of York Local Plan Publication Draft as a member of the Skelton Village Action Group, who were requesting the removal of site ST14 from the Local Plan.

## 6. **MINUTES**

Resolved: That the minutes of the last meeting of the Local Plan Working Group, held on 30 June 2014 be approved and signed by the Chair as a correct record.

## 7. **PUBLIC PARTICIPATION**

It was reported that there had been six registrations to speak at the meeting under the Council's Public Participation Scheme, and that one Member of Council had also requested to speak in relation to the City of York Local Plan Publication Draft.

Ken Guest spoke on behalf of the Elvington Action Group to raise their concerns in relation to site SP1: The Stables, Elvington proposed for Travelling Showpeople. He referred to previous Parish Council and local resident's objections and

petitions to the use of this site as the proposals would be inappropriate development in the Green Belt and conflict with national policies.

John Gallery spoke on behalf of the Elvington community, confirming that whilst they had no objections to development they strongly objected to the scale of the development proposed for the village. He also raised their concerns regarding the lack of infrastructure for the development and requested a reduction in the scale.

Paula Riley spoke to represent a local community concerned at the cumulative effect of plans to develop the former British Sugar and Civil Services Sports Ground together with land at Boroughbridge Road (ST1, ST2 and ST29). In particular they felt that proposals for site ST29 were unnecessary and unsustainable as this land had previously been considered important as green belt. In view of the strain on local services and saturation of the area it was requested that this site should be removed from the Local Plan and protected for the future.

Tim Haward, spoke as Chair of the Rufforth with Knapton Parish Council to raise their objections to the inclusion of sites GT1: Land at Moor Lane and B1224 for Gypsy and Traveller sites, particularly as these had only recently been added to the plan giving residents little time to respond to their inclusion. He referred to an earlier site proposed, adjacent to that now put forward, which had previously been considered unacceptable for a variety of reasons. The Parish Council felt that these reasons were now more relevant to this site, in particular health concerns for any future residents relating to the adjacent land fill site.

Dick Simms also spoke on behalf of Rufforth with Knapton Parish Council in relation to site RE3:772, Land at Harwood Whin, a site allocated for a Solar Farm, whilst not against renewable energy, he raised concerns at the inappropriate use of this site in a green corridor in the Green Belt and asked for this to be removed from the Plan.

Martin Hawthorne, spoke on behalf of the Tees Valley Housing Trust, who were the promoters of site SF14 at Earswick. He spoke of a missed opportunity if part of this site was not allocated for housing, particularly as the Trust considered that any transport issues could be mitigated with infrastructure

improvements and that the site could be proven to be viable and deliverable. He asked for further discussions with Members and Officers to enable the site to be included in the Plan which would also include 50% affordable housing.

Councillor Healey spoke in relation to commuting levels. He referred to the large net in-commute into the City (2001 Census) and questioned whether the Council had considered the impacts on the housing requirement if this trend didn't continue. He also questioned how student accommodation had been accounted for in the Plans housing figures and also how international migration as referenced in the Arup report had been calculated.

## **8. CITY OF YORK LOCAL PLAN PUBLICATION DRAFT**

Consideration was given to a report which asked Members to consider whether the Local Plan Publication Draft and Proposals Map should be published for statutory consultation, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012.

Officers gave a presentation of the draft Local Plan, as set out at Annex A of the report, confirming that the Plan had been prepared as a written statement of the planning strategy and vision for the City of York, which provided details of future development sites, strategic policies and development management policies. It was confirmed that the draft Plan had taken account of public consultation on the 'Preferred Options' and 'Further Sites' carried out in 2013/14.

Following approval it was intended to commence the statutory 6 week consultation in October. Comments received as part of the consultation will then be considered by Officers and reported to Full Council. A decision would then be made as to whether the Publication Draft should be submitted to the Secretary of State for examination in public.

Consideration was also given to the following additional documents circulated at the meeting:

- List of amendments to the Draft Local Plan document (copy attached as an Annex to these minutes)
- Representations received from Jane Widgery, a Strensall resident, in relation to housing site H30 at Strensall

- Representations received from Andrew Waller, of Acomb relating to site H9 (off Foxwood Lane), Our Lady's School site, Bachelor Hill and the former Lowfield School site.

At this point both the Chair and Members expressed their appreciation and thanks to the team for all their work in the preparation of the Plan, including all related discussions and meetings.

In relation to the earlier speakers comments Officers then made the following points:

- Although they were aware of previous comments in relation to the Showpersons site at Elvington the site had been assessed by officers and it was considered appropriate to include in the current Plan
- In relation to the sites proposed in Elvington Village officers consider that the sites and the level of growth now proposed for the village could be accommodated
- They reiterated the Council's responsibility to identify specific deliverable sites for Gypsies, Roma and Travellers and Travelling Showpeople. It was confirmed that the proposed Rufforth site had been investigated prior to inclusion and that Environmental Protection and other internal consultees had confirmed that residents would not be affected by their proximity to the Harewood Whin site
- Confirmation that the Solar Farm at Rufforth could be accommodated without compromising the green corridor
- Officers were aware of the concerns raised by the site promoters in relation to the Earswick site, the detailed officer response had been published in the Site Selection paper Addendum which detailed that it was considered that the transport issues had not been adequately dealt with and for that reason it was proposed that the land should remain as safeguarded
- Whilst the balance between housing and employment had always been difficult, a sustainable approach had to be taken in the Plan based on the evidence provided in the Arup report

The Committee then went through the report in detail, raising their concerns and comments as follows:

- Confusion regarding the housing numbers at the Whinthorpe New Settlement site (ST15) and concerns as to whether this could be a truly sustainable community as only ancillary employment opportunities were referenced

in the Plan– Officers agreed to provide clarity as to the numbers over the plan period and beyond and confirmed that in addition to employment opportunities within the site it would be important to ensure public transport links were in place to access employment opportunities such as the University and York City Centre.

- Issues with the modal split for public transport provided in the Plan for sites like Whinthorpe were raised as these would be seen to be sufficient rather than an absolute minimum and it would then prove difficult to provide additional infrastructure once this figure had been agreed. Officers clarified that this target was based on evidence and was considered to be a target that could realistically be achieved. Officers agreed however that they would re-look at the wording around these figures in relation to public transport and pedestrian/cycle targets to ensure that the Council had the ability to maximise sustainability on strategic sites
- Questioned the inclusion of housing commitments including the Hungate site in Table 5:1 Housing Allocations table – Officers confirmed that they would clarify the list, following the meeting, to make it clear as to what sites had been included within the supply
- Concerns that the majority of the housing sites proposed in the original draft Plan had still been included, despite extensive objections to a number of them
- Similar concerns to earlier speakers comments regarding the new sites for Gypsy, Roma, Travellers and Travelling Showpeople and that there had been little or no consultation on these new sites. Also asked for more clarity in the policy in terms of the location of these sites as there was more than one Moor Lane. Officers agreed to provide more detail to the descriptions of these sites to make their location clearer
- Officers agreed to amend the wording on pages 109 and 110 of the Plan to reflect the current position in relation to the former College of Law
- Concerns raised about policy CC2 and whether sites over 10 dwellings could provide district heating. Officers confirmed that this reflects the further evidence base published in the Renewable Energy Study and the viability work undertaken to support the plan
- Concerns regarding why the proposed dualling did not include grade separated junctions. Officers referred to the supplementary transport paper published with the Plan

which detailed the reasoning behind the proposed upgrade of the A1237

- Reiterated concerns at the inclusion of the two sites at Rufforth for Gypsies and Travellers which it was felt went against the Council's own policies and criteria that such sites should fulfil – Officers detailed how the allocated sites fulfilled the five criteria, listed in policy H6 of the Plan
- Clarification was requested of the housing allocation figures as these did not appear to have been reduced, although a small number of housing sites had been removed from the Plan. Officers clarified how the housing target had been calculated based on the evidence in the Arup report.
- Figure 14.1 York Authority Area Zoning for Location of Development – Officers agreed to re-examine this plan and update to include all the proposed extensions to the suburban area in addition to the new settlement at Whinthorpe.
- Clarification regarding the difference in housing figures and buffer and backlog provided in the Plan against those provided in the Arup report – Officers clarified the way that the backlog of unmet demand in previous years from 2004, the RSS date, had been added to the target. In relation to the buffer officers confirmed that to ensure that this was a robust Plan the housing demand target included a 20% buffer made up of additional supply in years 1-6 of the Plan as set out in the National Planning Policy Framework (NPPF) as advised in the Arup report.
- The inclusion of Land to the East of Metcalfe Lane was questioned following a large number of representations received and the analysis of the site in both the Heritage Impact Assessment (HIA) and Sustainability Appraisal (SA) – Officers confirmed that all representations had been considered and that the sustainability appraisal would continue to evolve alongside the emerging Local Plan
- With the loss of employment land Policy EC3, had an estimate of the amount of employment land lost through the permitted changes from offices to residential been calculated – Officers confirmed that it was difficult to quantify however it was felt that the Plan was sufficiently flexible to accommodate this.
- Questioned the use of upper floors in the city centre and as to how this could be brought forward – Officers confirmed that this had been taken into consideration but

that a specific figure could not be included in the Plan without evidence of deliverability.

- Questioned details of York City Centre's competition with investments in surrounding city's and the ability to bring forward mixed used development in the City Centre - Officers acknowledged the difficulties of deliverability and confirmed that work was ongoing with the City team and others to encourage the growth of these sectors.
- Questioned whether Policy H5, which promotes Self Build, was deliverable – Officers highlighted the need for the inclusion of this policy in order to provide a mix of housing supply and create variety on sites and to provide opportunities for both small housebuilders and for self-build opportunities.
- In answer to earlier questions Officers confirmed that the NPPF states that windfall sites can be included in the Plan if there is compelling evidence of special circumstances however if specific sites can be identified and allocated then they should be.

Following further lengthy discussion it was moved and seconded that, subject to inclusion of the list of amendments circulated at the meeting and those arising from the meeting detailed above, the draft Plan be forwarded to Cabinet for approval and for formal consultation.

Other Members reiterated their opposition to the current Plan, expressing their concerns that it was unfortunate that the Plan had not been consensus based. They reiterated that residents did not wish to see development of the scale proposed and that it was imperative that every Parish Council and resident received details of the proposals. Officers confirmed that a full city wide leaflet drop would be undertaken as part of the consultation process. Other Members argued that the significant drop in employment and housing targets did respond to the public consultation and that given the scale of York's housing crisis and the enormous difficulties experienced by a large number of York's residents on lower incomes it was crucially important that the Plan delivered a good supply of housing.

On being put to the vote it was

Recommended: That the Local Plan Working Group request Cabinet to:

- (i) Approve the Local Plan Publication Draft (attached as Annex A), along with supporting information for public consultation in accordance with Regulation 19 of the 2012 Regulations, subject to the inclusion of the list of amendments circulated at the meeting and those detailed above.
- (ii) Instruct officers to prepare a report for Full Council on the outcomes of this consultation along with a recommendation regarding whether it is appropriate to submit the Publication Draft for public examination pursuant to Section 20 of the 2004 Act.
- (iii) Delegate to the Director of CES in consultation with the Cabinet Member the making of any incidental changes to the Publication Draft prior to consultation that are necessary as a result of the recommendations of Cabinet.
- (iv) Delegate to the Director of CES in consultation with the Cabinet Member the approval of a consultation strategy and associated documents.

Reason: (i) & (ii) So that an NPPF compliant Local Plan can be progressed

(iii) So that changes recommended as a result of discussions at this meeting can be made.

(iv) To ensure that the proposed methods of consultation are satisfactory to Members and compliant with the 2012 Regulations and Statement of Community Involvement.



Cllr D Merrett, Chair

[The Meeting started at 5.30 pm and finished at 8.45 pm].

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**Amendments for Local Plan Working Group  
Monday 22<sup>nd</sup> September 2014**

<b>Agenda Page Number</b>	<b>Section</b>	<b>Policy</b>	<b>Amendment</b>	<b>Reason</b>
<b>44</b>	Key Diagram	N/A	Amend boundaries of Site ST13 and ST24	Mapping error
<b>75</b>	Section 3: Spatial Strategy	SS1: Delivering Sustainable Growth for York	Amend second bullet point to read "Provide a minimum annual provision of 996 new dwellings over the plan period. During the first six years of the plan (five post adoption) a 20% buffer will be applied to this figure equating to <u>allocations to provide for 1170 dwellings per annum</u>	To clarify that the 20% buffer as required by NPPF (paragraph 47) for local authorities with persistent under delivery is a buffer applied to the supply of site rather than on the housing target.
<b>86</b>	Section 3: Spatial Strategy	SS5: Whinthorpe	Rephrasing of criterion vi.	To indicate that routes other than Common Lane have been/are being investigated to assess their suitability as an alternative to Common Lane for a bus route serving Whinthorpe.
<b>93</b>	Section 3: Spatial Strategy	SS9: York Central	Expand fifth bullet point to read ' Rail uses associated with operational rationalisation and functionality <u>and catering for HS2 ,Harrogate line alternative approach and the potential tram/train linkages</u>  Amend principle xii to read Ensure sustainability principles are embedded at all stages of the development <u>including providing district heating scheme</u>	To clarify rail uses associated with the site  To recognise the high potential of the York Central site for district heating opportunities

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Agenda Page Number	Section	Policy	Amendment	Reason
			<u>given the mix of uses on the site</u>	
<b>106</b>	Section 4: Economy	EC6: Rural Economy	Amend third bullet point to read 'Permitting camping and caravan sites for holiday and recreational use where proposals can be satisfactorily integrated into the landscape without detriment to its character, are in a location accessible to local facilities <u>and within walking distance of public transport to York</u> , and would not generate significant volumes of traffic	To clarify the requirement to be close to public transport routes
<b>118</b>	Section 5: Housing	H1:Housing Allocations	Amend text to ST16 Terry's overage to read ' NB: The element of the Terry's site located to the east of Bishopthorpe Road is allocated for <u>small scale</u> ancillary uses only (incl. <u>car parking</u> , health and community uses)	To clarify that any development on the site should be small scale, to minimise impact on green belt river corridor and setting of the listed buildings.
<b>122</b>	Section 5: Housing	H1:Housing Allocations	To reflect Policy SS5 amend housing figure for ST15 (Whinthorpe) to 6,000 dwellings.	To take account of housing provision beyond the plan period and 2040.
<b>128</b>	Section 5: Housing	H2: Density of Residential Development	Amend text to clarify that the 100 units/ha within York City Centre will be subject to consideration of heritage impacts	To make it clear that appropriate densities should be informed by the local character of the area
<b>145</b>	Section 6:	CF2: Built Sports	Amend last bullet point to read 'it	To clarify that replacement facilities

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Agenda Page Number	Section	Policy	Amendment	Reason
	Community Facilities	Facilities	would be replaced by a facility of an equivalent or better quality and quantity in a sustainable location in the <u>existing</u> area of benefit that is accessible by public transport, with better management arrangements	should be in the existing area of benefit
<b>151</b>	Section 7: Education	ED3: Heslington East Campus	Add the following text to the end of second paragraph <u>'Accommodation for the additional increase in student numbers will be provided in accordance with Policy ED1 and H7.'</u>	To provide policy guidance on student housing for the expansion site.
<b>156</b>	Section 7: Education	ED6: Preschool, Primary and Secondary Education	Amend word 'allow' in third bullet point to 'provide'  Add fourth bullet point to read <u>'priority for the re-use of former education facilities will be for similar uses unless it can be demonstrated that the use is no longer, or cannot be made, viable or equivalent provision can be made'</u>	To protect former education facilities for re-use for similar uses unless it can be demonstrated that this is no longer required.
<b>158</b>	Section 7: Education	ED8: Community Access to Sports and Cultural facilities on	Amend first sentence to read 'Community use of new/extended education facilities will be expected and should be	To ensure design for separate access and security/ separateness of the facilities.

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Agenda Page Number	Section	Policy	Amendment	Reason
		education sites	incorporated into the design in a way that <u>allows for and</u> optimises their potential use'	
<b>164</b>	Section 8: Placemaking and Design	D2: Placemaking	Add bullet point to Character and Design Standards to read ' <u>taking into account sustainability as far as possible</u> '  Add cross reference to Policy CC2.	To embed sustainability principles into placemaking as far as possible
<b>183</b>	Section 9: Green Infrastructure	GI5: Protection of Open Space and Playing Pitches	Amend third bullet point as follows 'Improves the quality of existing pitches and ensure that any new pitches are designed <u>and implemented</u> to a high standard and fully reflect an understanding of the issues affecting community sport.  Amend last bullet point to read 'meets the deficit of pitches in geographically appropriate and accessible way. This could be rectified through re-designation of <u>any current surplus facilities in the area of benefit</u> '	To make reference to implementation  To add clarity that any surplus facilities are in the area of benefit.
<b>192</b>	Section 10: Managing Appropriate	GB4: Exceptions Sites for Affordable Housing in the	Add in text to Policy GB4 to explain that the same tests as currently set out in the policy	To add clarity to approach to safeguarded land

**Amendments for Local Plan Working Group  
Monday 22<sup>nd</sup> September 2014**

Agenda Page Number	Section	Policy	Amendment	Reason
	Development in the Green Belt	Green Belt	would also apply to safeguarded land, as applied to greenbelt .	
<p><b>Proposals Maps</b> Mapping errors as follows:</p> <ul style="list-style-type: none"> <li>- Potential allocation E6: Common Lane, Dunnington is no longer proposed as an employment site in the Local Plan Publication Draft. This site has been left as white on the proposal map. It should be shown to be included in the green belt.</li> <li>- Identify Historic Parks and Gardens</li> <li>- Amend boundary of ST14</li> <li>- To provide clarity for Development Management purposes it is necessary to add a definite line around the settlements that shows where the green belt boundary is.</li> <li>- Cinder Lane bridge connecting York Central to Holgate is in the wrong location. It should be further northwards connecting with Holgate Park as shown on the Proposals Map North.</li> </ul>				
<p><b>Annex C: Sustainability Appraisal/Strategic Environmental Assessment</b> Make additions to Annex C to provide additional explanation to issues as follows:</p> <ul style="list-style-type: none"> <li>- Clarify the progression of strategic sites and allocations.</li> <li>- Update text in baseline to reflect 2013 Strategic Flood Risk Assessment update.</li> </ul>				
<p><b>Annex D: Heritage Impact Appraisal</b> Make addition to appendix 5 to add further clarity on assessment of alternatives prior to the start of the public consultation</p>				
<p><b>Annex F: Infrastructure Delivery Plan</b> Update where appropriate</p>				

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